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5 Attorneys for Plaintiffs
6 EDRICK HARVEY, MARY
7 OCTAVIA DORROUGH and
minors AS and RH.

9
10 UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DMR

CV Case No. 11

4986

PETITION FOR APPOINTMENT OF
GUARDIAN AD LITEM FOR "AS," A
MINOR; STATEMENT OF COUNSEL;
CONSENT OF NOMINEE; AND
[PROPOSED] ORDER

12 EDRICK HARVEY individually and
13 MARY OCTAVIA DORROUGH as
guardian ad litem for minors AS and RH.

14 Plaintiffs)

16 v.)

17 CITY OF ANTIOCH, ANTIOCH POLICE)
DEPARTMENT, POLICE CHIEF JAMES)
18 HYDE, ACTING ANTIOCH POLICE)
CHIEF ALLAN CANTANDO,)
19 DETECTIVE JAMES STENGER,)
DETECTIVE MICHAEL MELLONE,)
20 DETECTIVE D. BITTNER (Badge 3252),)
DETECTIVE WISECARVER (Badge)
21 2363), DETECTIVE VINCELET (Badge)
22 number unknown), DETECTIVE)
MORTIMER (Badge number unknown);)
CITY OF PITTSBURG, PITTSBURG)
24 POLICE DEPARTMENT, POLICE CHIEF)
AARON L. BAKER, and DOES 1 to 100)

25 Defendants.)
26

27 PETITION BY MINOR OVER AGE 14

Petitioner AS states as follows:

1. I am a minor. I am currently over 16 years old.
 2. I am about to commence an action in this court against the defendants listed above.
 3. My claims against these defendants are based upon injuries I suffered. A copy of my complaint is being filed with this petition.

4. I have no general guardian and no previous petition for appointment of a guardian ad litem has been filed in this matter.

5. My natural aunt, MARY OCTAVIA DORROUGH, is a competent adult and a responsible person. She is fully competent to act as my guardian ad litem for purposes of this litigation, until I become 18 years old.

6. I request that the Court appoint MARY OCTAVIA DORROUGH as my guardian ad litem.

Dated: October 5, 2011

By:

AS

"AS"

(Only initials used pursuant to FRCP 5.2(a)(3))

STATEMENT OF COUNSEL

I, Quinton B. Cutlip, state:

1. I am an attorney at law who is duly licensed to practice before the courts of the State of California. I am also admitted to practice before the United States District Court for the Northern District of California. I am an associate with the Dolan Law Firm, the attorneys of record for the Plaintiffs in this action.

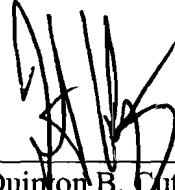
2. As indicated in the consent attached, hereto, MARY OCTAVIA DORROUGH has consented to act as guardian ad litem for "AS."

1 3. It has been my experience that some courts disfavor appointing a person as
2 guardian ad litem for a child if that person also has his or her own individual claims in the
3 litigation. MARY OCTAVIA DORROUGH was chosen to be guardian ad litem because she does
4 not have any other interest in this litigation or individual claim for damages in this action. "AS's"
5 natural mother, EDRICK HARVEY, was also a victim of Defendants' tortious acts. So, EDRICK
6 HARVEY is an individually named plaintiff in this action.
7

8 4. WHEREFORE, Petitioner moves this court for an order appointing MARY
9 OCTAVIA DORROUGH as guardian ad litem of petitioner "AS" for the purpose of bringing and
10 maintaining an action against the defendants identified above.

11 Dated: October 5, 2011

THE DOLAN LAW FIRM

13 By _____
14 
15 Quinton B. Cutlip
16 EDRICK HARVEY, MARY OCTAVIA
17 DORROUGH and minors AS and RH.

18 CONSENT OF NOMINEE

19 I, MARY OCTAVIA DORROUGH, the nominee of the Petitioner, consent to act as
20 guardian ad litem for niece AS until she turns 18 years of age or until this action is concluded,
21 whichever is first.

22 Dated: October 5, 2011

23 By: Mary Octavia Dorrough
24 MARY OCTAVIA DORROUGH

25 ///

ORDER

The petition for an order appointing MARY OCTAVIA DORROUGH as guardian ad litem
for petitioner "AS" is GRANTED.

IT IS SO ORDERED.

Dated: 10/26/2011



By: _____
Judge of the United States District Court for the
Northern District of California.